ച്ചോക്കെ കഴിയും. ഇതു പി. ഡബ്ല്യു. ഡി. ബോർഡിലെ രണ്ടു മൂന്നുകൊല്ലത്തെ അനുഭവം വച്ചുകൊണ്ടും പറയുകയാണ്. ഇന്നുള്ള മൂന്നു പദേശകസമിതികളെക്കാളും പിന്നോക്കസമുദായങ്ങളെ സ്പർശിക്കുന്നതു ഈ ഉപദേശകസമിതിയാണ്. അവരുടെ പ്രാതിനിദ്ധ്യം വേണ്ടതു പോലെ ഇതിനു ഇല്ലെങ്കിൽ, അതു് വരനില്ലാതെ നടത്തുന്ന വിവാഹഘോഷമല്ലാ, വരനും വധുവുമില്ലാതെ നടത്തുന്ന വിവാഹഘോഷമാണ്. അതു കൊണ്ടു ഇതിനു ഇപ്പോഠം നാമിനേഷനല്ലാതെ മറ്റൊന്നും പ്രായോഗികമല്ലെന്നുള്ള അഭിപ്രായം ഖണ്ഡിതമായും ബലമായും ഒരാവത്തിക്കൂടി പ്രസ്താവിച്ചുകൊള്ളുന്നു.

The question as to whether election should be resorted to was put to the vote of the House and declared lost.

MOTION *RE* DOCUMENT WRITERS.

MR. K. MADHAVA KURUP: I move that the question of introducing a scheme for the licensing of document-writers be taken into consideration.

The work done by the document-writers attached to Sub-Registry offices is very important; but it is now entrusted to very unqualified and meagrely paid men. At present, there is no control whatever, over their work and it is a profession which any one can enter. In cases of misconduct, the department finds itself absolutely helpless. They have no standing in the statutory and more or less Judicial proceedings before a Sub-Registrar. So long as a minimum educational qualification has not been fixed, it is not possible to improve conveyancing. In order to secure uniformity in the interpretation of Registration and Stamp Law, it is of the utmost importance that some sort of control should be exercised over these people. As a result of the existing state of affairs, conveyancing has degenerated. It is a specialist's work but it is now being done by ill-qualified hands. The potentialities of mischief latent in an ambiguously worded document prepared by an evil-minded document-writer are immense; and illiterate parties are often put to hardship by unscrupulous document-writers.

Land has always been and is now more than ever the most favourite form of investment and it is imperative that documents affecting the title to lands should be clear. The seeds of potential litigation are deliberately strewn in documents. The profession is overcrowded, though in this as in other professions, there might be room at the top.

Generally, these document-writers are not adequately paid. Their cleverness is often judged by their capacity to evade the law and to defraud the Government of its legitimate revenue. There are rules regarding the licensing of document-writers in force in some of the

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[Mr. K. Madhava Kurup.]

British Indian provinces. Here too, successive Directors of Registration have suggested the need for instituting an examination. There is power under the Registration Act to issue rules in regard to licensing. Some qualification might be prescribed for these people; and undesirables should be eliminated. I request that the House may be pleased to consider the scheme.

MR. M. R. NARAYANA PILLAI: May I know whether it is proposed by Government to make any revenue out of this?

PRESIDENT: Absolutely none.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Director the standard or the criterion to be fixed in the matter of issuing these licenses?

MR. K. MADHAVA KURUP: Government have not come to any decision.

PRESIDENT: I think I may shorten the matter. I have had experience of cases with most calamitous consequences on account of the unskilfulness or sometimes the calculated knavery of some of the document-writers. They belong to all sorts and conditions of society. They learn up a certain form of words and this however is not often found to be useful. I have come across evidences by European solicitors on which I had to act as Advocate General where in respect of Kanom property there was barring of the entail. That is under the system of inheritance known in the English Law as the Law of Primogeniture. And that was a difficult document. This was copied and the Kanom document was made in accordance. So it went on in a happy way. The document-writer is like the medical quack; the greater the pretensions, the more the halo of reputation around him. And just as we see advertisements stating 'Cure Malaria in 15 minutes' etc. the document-writer, provided he has sufficient imagination can have a horde of clients. The whole trouble arises 20 or 30 years later and in some cases unforseen consequences result. The idea of Government is to try to see whether some kind of minimum acquirement should not be insisted upon so that he may not go scot-free whenever mistakes are found out.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Have Government bestowed sufficient attention on the matter?

PRESIDENT: Government are thinking of the matter. If the honourable members of the House think that the evil is sufficiently great in this State, they may express their views.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reasons alleged for vetoing the recommendations made in this direction by the former Directors?

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MR. K. MADHAVA KURUP: At that time there were perhaps no rules and Government were not favourable to the idea

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Then I would support the motion so ably moved by the Director of Registration. In his speech he has dealt with almost all relevant facts. I do not wish to make a lengthy speech. Sir, we have found in certain cases, that even the documents prepared at the instance of Government have been liable to be interpreted in different ways; for instance.....

PRESIDENT: For instance the Periyar arbitration.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Yes, Sir and also with regard to the South Indian Railways. There too it was liable to be interpreted in different ways. And if that is the case with regard to documents, prepared at the instance of Government, it will only be in the fitness of things that the proposal brought forward by the Director of Registration is accepted and given effect to as early as possible.

The motion that a scheme for licensing document-writers be introduced was put to vote and carried.

The House rose for the day at 5-15 P. M.

K. P. SUBRAMANIA AIYAR
Secretary to the Sri Mulam Assembly.

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